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UNITED STATES BANKRUPTCY COURT  
DISTRICT OF MINNESOTA

# ERS NEWS

United States Bankruptcy Court for the District of Minnesota

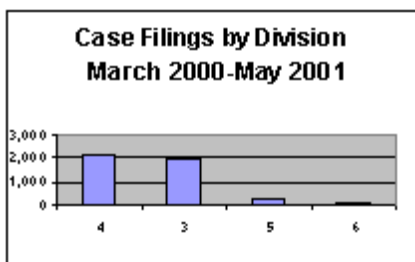
A New Approach to Information Management

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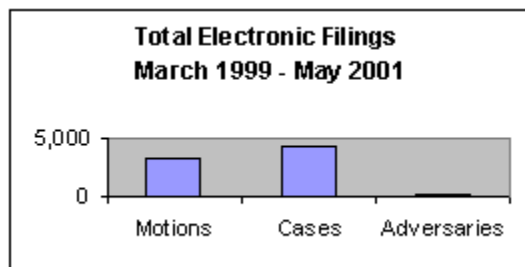
June 2001

## Electronic Filings Reach 7,800

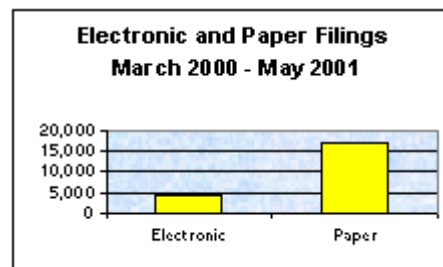
Over 7,800 electronic motions, cases, and documents have been filed in the bankruptcy court since the first electronic document was filed in March 1999. In May 2001, electronic case opening constituted over 28% of all cases filed. Since March 2000, when the first electronic case was filed, 21% of all cases have been filed electronically.



As of May 31, a total of 2,123 electronic cases had been filed in Minneapolis; 1,942 in St. Paul; 263 in Duluth; and 62 in Fergus Falls.



Since March 1999, there have been 3,397 electronic motions, 4,390 electronic cases, and 21 electronic adversary proceedings filed.



A total of 4,390 electronic cases have been opened since the first electronic case was filed in March 2000. During the same time period, 16,920 paper cases were filed. Electronic case opening constitutes over 20% of all case filing during that time period.

Use of the court's web site for searching case information is also increasing. In May there were over 26,000 search sessions conducted. (Each time the case search button is activated on the home page, a session is opened. In a single session multiple cases can be searched. These figures include both internal and external searches.)

## Changes in Filing Procedures

### Electronic Service

The court recently instituted several changes in electronic filing procedures relating to electronic service, the signature declaration form, and issuance of the summons. In February the court **eliminated** the requirement that ERS registered participants serve and accept service electronically. Instead, electronically filed documents may be served in any manner authorized by applicable rules.

### **Signature Declaration Form**

The judges have eliminated the requirement that the original signed Declaration Re: Electronic Filing ("signature declaration form") be submitted to the court. This form has been used when an original signature of someone other than the ERS registered attorney was needed.

### **New Signature Declaration Policy Effective July 1 Petitions**

1. The attorney has the client sign the revised Declaration Re: Electronic Filing (ERS Form 1 (Rev. 7/1/01) This form will be available on the web site at *What's New*.
2. Scan the signed signature declaration form and convert it to pdf.
3. Electronically transmit the signature declaration pdf **image** to the court within five days of the electronic filing using the Signature Declaration event code from the motion filing list **Do not** send the paper form to the court.

### **Motions**

1. Scan the page of the document containing the original signature. (The attorney may print the page containing the signature space, have the individual sign in the designated space, and scan the signed page.)
  2. Convert the scanned signed page to pdf.
  3. Insert the page at the appropriate spot in the electronic filing.
- (No signature declaration form needed)

### **Electronic Summons**

A new feature of the ERS now automatically generates an electronic summons when a filer opens an adversary proceeding electronically. When the adversary proceeding is opened, both the complaint and the summons are automatically docketed and include hyperlinks to images of the documents. The filer also receives a Notice of Electronic Filing (NEF) which includes a hyperlink to the summons.

### **Amended Petition, Schedules, Matrix**

If a filer is contacted by the court regarding an error in filing a petition, schedules, or matrix, the filer may use the amended petition, schedules, or matrix features to automatically submit the correct document. (**Note:** please check all related documents in text summary

column to the right of docket entry if docket entry indicates an amendment)

### **Making the ERS Easier**

The court is upgrading its system to make the ERS more user friendly. Filers may now change their ERS user information on the web, including their name, address, telephone number, and email address. (Filers should also notify the court of any address changes so the court can update the case management database.)

The ERS is now functional for Internet Explorer filers as well as Netscape Navigator users. IE users may notice a difference in some of the security screens but functionality is nearly the same as for Netscape Navigator. Since IE's interpretation of specifications is different than Netscape's there may still be some difficulties.)

Filers now have access to a page with hyperlinks to chambers' mailboxes. These email links can be used to submit a proposed order when requested by the judge.

### **New Entries to the Electronic Filing List**

Several new event codes have been added to the electronic filing list.

- ◆ Affidavit of default
- ◆ Amended document
- ◆ Amended motion
- ◆ Amended petition
- ◆ Appearance of child support creditor
- ◆ Application for miscellaneous relief
- ◆ Chapter 11 plan
- ◆ Counterclaim
- ◆ Crossclaim
- ◆ Disclosure statement
- ◆ Letter regarding change of address
- ◆ Modified Chapter 13 plan (post confirmation)
- ◆ Modified Chapter 13 plan (preconfirmation)
- ◆ Motion for leave to appeal
- ◆ Motion to abandon
- ◆ Motion to convert 11 to 7 by non-debtor party
- ◆ Motion to modify chapter 13 plan (postconfirmation only)
- ◆ Notice of continued hearing

- ◆ Objection to confirmation of chapter 13 plan
- ◆ Response to chapter 13 to relief from stay
- ◆ Signature declaration
- ◆ Stipulation for relief from stay
- ◆ Stipulation resolving relief from stay
- ◆ Supplemental memorandum
- ◆ Withdrawal

Several event codes were removed.

- ◆ Letter
- ◆ Motion to convert 7 to 13 by non-debtor party
- ◆ Motion to convert 7 to 12 by non-debtor party
- ◆ Motion to convert 13 to 7 by non-debtor party
- ◆ Motion to convert 13 to 12
- ◆ Motion to convert 12 to 13
- ◆ Motion to convert 12 to 11
- ◆ Motion to convert 11 to 13

## **Electronic Lift Stay Filing**

As of March 1, the Court requires that all lift stay motions must be filed using the ERS or on diskette. In May, 93.5% of lift stay motions were filed over the court's web site. For electronic or diskette filing instructions, check the web site at *ERS Training*.

## **New ERS Training Program**

The court now offers a three-tiered training program.

### **Level 1**

This option is designed for attorneys who want to become certified electronic filers, but will authorize their staff to file the documents for them. This two-hour session includes an overview of electronic filing policies and procedures; a discussion of legal implications of electronic filing and the general orders; and a demonstration of case opening, motion filing, and adversary proceeding opening. It does not include any hands-on training and there is no CLE credit for this option. An electronic filing password is issued to the attorney which constitutes the attorney's signature for the purpose of electronic filing. The attorney, however, is not authorized to file to the live database until staff members complete Level 2 training and the required test filings are successfully completed.

### **Level 2**

This option is for attorneys who intend to file their own documents and for staff of attorneys who attend Level 1. This five-hour training session focuses on hands-on training. At the conclusion of this training session, filing exercises are distributed and should be completed by the attorney within one month after training. A total of 5 law office management CLE credits have been approved for attorneys who attend this session (3.25 for motion filing and 1.75 for case opening).

### **Level 3**

This review option is available for attorneys/or staff who previously attended training but did not complete their test filings. This three-hour session focuses on hands-on training to assist attendees in completing their filing exercises. No CLE credit is authorized for this session.

## **Register for Training**

Click *ERS Training* on the home page to get more information regarding training dates. Click *Training Request Form* to display a form to register for ERS training. Complete the form online and e-mail or fax it to the address listed on the form.

## **Hardware and Software**

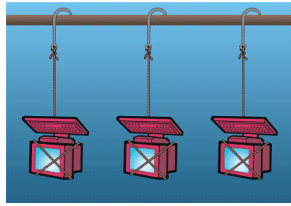
Filing electronically requires specific hardware and software:

- ◆ A personal computer running a standard platform such as Windows 95 or Macintosh
- ◆ An Internet provider
- ◆ Netscape 4.76 or higher\* or Internet Explorer 5.5
- ◆ Adobe Acrobat Writer\*\*
- ◆ A scanner
- ◆ A virus checker

\* Netscape 6.0 is not compatible with the ERS

\*\* Adobe Acrobat is now offering the Adobe Acrobat Writer to attorneys at a reduced rate of \$120, plus shipping and handling by calling 800-502-5275 and providing their state or federal bar identification number.

## Help Desk Q & A



### ***I use Internet Explorer and am having problems saving the data file.***

When Internet Explorer users begin using IE with the case filing program they may experience a problem saving the data file. This problem can be corrected by selecting *Tools* at the top of the screen. Select *Internet Options* from the drop-down menu. Select *Security* from the tabs at the bottom of the screen. Select *Custom Level* at the bottom of the screen. Scroll down to *Initialize and script ActiveX controls not marked as safe* and select *Prompt*. Click at the bottom of the screen and exit the program.

### ***I use Internet Explorer and sometimes get an incorrect or incomplete image in a case search.***

From the toolbar at the top of the screen, select *Tools*. Select *Internet Options* from the drop-down menu. A screen will display with a list of options. From the middle option, *Temporary Internet Files*, select *Delete Files* and click *OK* at the bottom of the screen.

### ***I use the Netscape browser and downloaded/installed the Paperport Viewer to view max images but I selected the wrong option under Pick Application and I am unable to return.***

From the toolbar at the top of the screen, select *Edit*. Select *Preferences*. A screen will display with a list of options. From the *Category* list on the left, select *Applications* from the Navigator category. From the Applications box, scroll down to and select *PaperPort Document* and select *Remove* and then *OK* at the bottom of the screen. Select *PaperPort* when prompted for \*.max file types.

### ***I use Internet Explorer and downloaded/installed the Paperport View to view max images but when viewing a document, it is illegible.***

From the desktop open *My Computer*. Select the *View* menu item and then *Folder Options*. Select the *File Types* tab and in the *Registered file types* window scroll to the Max File. Select this file and click on the *Remove* button to the right - select *Yes* to confirm removal. Select *OK* to close Folder Options window. Reinstall Paperport Viewer.

### ***I am having problems viewing images with Windows 2000.***

Some users experience image viewing problems using Windows 2000 and Internet Explorer. We have had no reports of similar problems using the combination of Win 2000 and Netscape.

There is a known problem with installing PaperPort software to Win NT 4.0 and Win 2000 systems. The software must be installed with full Administrator rights.

Please see Visioneer's technical document # 2074 at <http://support.visioneer.com/customer/technotes/2074.html> for details.

In addition, Windows 2000 is incapable of supporting some of Visioneer's older scanners.

Please visit <http://support.visioneer.com/customer/win2k.html> for information on this issue.

### ***I don't understand how to view images on the web site.***

All documents filed with the court appear in electronic form on the web site. All documents *filed* electronically are in a pdf format which requires the Adobe Acrobat Reader for viewing. This reader can be downloaded free of charge from the web site by selecting the *Viewing Images* button on the home page. Documents filed electronically can be identified by an *E* in front of the document name on the Docket Entries list, such as *E Voluntary Petition*. All documents submitted in paper are scanned in a max format which requires the PaperPort Viewer for viewing. This viewer can be downloaded free of charge from the web site by selecting the *Viewing Images* button on the home page.

### ***I use Netscape Navigator and sometimes I get an outdated page that I know has been updated.***

Sometimes outdated information is saved in the cache. From the toolbar at the top of the screen, select *Edit*. Select *Preferences*. From the *Category* list on the left, select *Advanced*, the last item on the list. Select *Cache* from the drop-down list. A cache screen will display. Select *Clear Memory Cache* and then *OK*. Select *Clear Disk Cache* and then *OK*. Click *OK* at the bottom of the page.

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